

*Pay F. O'Connor  
Hazardous Duty*

20 July 1956

OGC Has Reviewed

Comments on H.R. 11652

FROM: Office of General Counsel

1. Title I of the Bill would amend the War Hazards Compensation Act by, insofar as of possible interest to CIA:

a. Limiting the benefits available to "persons engaged by the United States under a contract for his personal services outside the United States or in Alaska or the Canal Zone." The provisions now on the books reads "or in Hawaii, Alaska, Puerto Rico, or the Virgin Islands."

b. Changing the definition of "war-risk hazard". Under the present law a war-risk hazard means any hazard arising from certain named causes "arising after December 6, 1941, and prior to July 1, 1956." The proposed change is at Section 103(a) of Title I.

c. Amending the definition of war-risk hazard by changing the provisions concerning explosions of munitions. The change is at Section 103(b) of Title I. The present law reads "in connection with the national war effort" and does not include the "transporter" of munitions.

d. Amending the definition of "enemy" (Section 201(c) of Title I). The present definition is "any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any of its allies."

e. Amending the definition of "allies" (Section 201(d)). The present definition is:

"The term 'allies' as used in this chapter and as used in the Federal Employees' Compensation Act means any nation, government, or force participating with the United States in any armed conflict."

2. Title II amends the Act of August 16, 1941. That Act

provides that the provisions of the Longshoreman's and Worker's Compensation Act shall apply with respect to the injury or death of any employee engaged in any employment at certain installations or under certain contracts concerning "public work"; the terms are such that some CIA installations or contracts doubtless are covered. The amendment (Section 201(b) of Title II) broadens the definitions of "public work" to include projects or operations under service contracts and projects in connection "with the national defense or with war activities"; the current version reads "with the war effort".

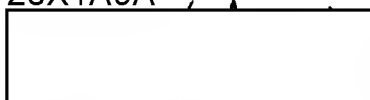
3. Title III repeals Section 2 of the Act of June 30, 1953, which provision repealed Section 101(c) of the War Hazards Compensation Act. Title III also reenacts Section 101(c) of the War Hazards Compensation Act. Section 101(c) concerns amounts of compensation for persons not citizens of the U.S. and not residents of the U.S. or Canada and defines dependents in foreign countries.

4. Title III also repeals Sections 3 and 4 of the Act of June 30, 1953. Section 3 excludes from the provisions of the Act any person "who is not a citizen of the United States and who suffers an injury, disability, death, or detention by the enemy subsequent to" June 30, 1953. Section 4 excludes from the liability of contractors under the Act, liability concerning "any employee not a citizen of the United States who incurs an injury or death resulting in death subsequent to" June 30, 1953.

5. Although the Agency would be affected by passage of the bill, there would seem to be no particular Agency interest and no Agency representations need be made. No legislative Counsel action required.

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